

REMARKS/ARGUMENTS

After the foregoing Amendment, Claims 48-49 are currently pending in this application. Claims 1-47 have been canceled without prejudice. New claims 48-49 have been added to more distinctly claim subject matter which the Applicants regard as the invention. Applicants submit that no new matter has been introduced into the application by these amendments.

Double Patenting Rejection

Claims 3-47 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 3-35 copending Application No. 10/764,196. Claims 3-47 are canceled to overcome the obviousness-type double patenting rejection and withdrawal of the obviousness-type double patenting rejection is respectfully requested.

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this

Applicant: Gorsuch et al.
Application No.: 10/763,788

application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 48-49, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Gorsuch et al.

By Joseph P. Gushue
Joseph P. Gushue
Registration No. 59,819

Volpe and Koenig, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, PA 19103
Telephone: (215) 568-6400
Facsimile: (215) 568-6499

JPG/ml